



TOWN OF EAST HAMPTON

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East Hampton, New York 11937-2684

Planning Department
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August 3, 2016

To: Planning Board

From: JoAnne Pahwul, AICP
Assistant Planning Director

Re: 240 Fort Pond LLC (The Arbor Restaurant)
SCTM#300-16-2-38

Last Review Date: June 1, 2016

Items and Date Received:

- Map of Property prepared by George Walbridge Surveyors dated revised July 5, 2016;
- Floor Plan (Sheet A-101) prepared by William A. Schulz, Architect and dated June 14, 2016;
- Planting Plan (A-013.00) prepared by Brook Landscape Design and dated June 30, 2016
- Exterior Fixture Specification Book prepared by Orsman Design and dated revised June 13, 2016;

Background Information:

The 26,144 sq. ft. parcel is zoned Neighborhood Business in Montauk and fronts on Flamingo Avenue, Edgemere Street and Fort Pond Road. The site is improved with a one story, 5, 711 sq. ft. restaurant that pre-exists zoning, with a partial second story for employee housing.

Site plan application is made for two patios for outdoor dining, one containing a service bar, a 400 sq. ft. arbor, revisions to the parking lot that include the realignment of parking spaces and the removal of paving, and the provision of landscaping.

Issues for Discussion:

Sanitary System

Test hole information depicted on prior surveys of the site on file with the Town indicate that groundwater on the site is located 5.5' below grade. This test hole information was taken at an elevation of 11.5'. The site is in relatively close proximity to Fort Pond and Fort Pond Bay, so impacts to groundwater that flows into these bodies of water from sanitary systems is of concern.

A letter submitted from Emil Norsic & Sons, Inc. states that they have inspected the septic system located at 240 Fort Pond Road and found three 8' x 6' cesspools connected to a 8' x 4' cesspool which had five overflow pools on the east side of the parcel and two 8' x 6' cesspools on the southerly side. The site plan has been revised to depict manhole covers that appear to represent the location of the cesspools.

No evidence of a septic tank as part of the sanitary system has been submitted or found in the Town's records and it appears that the sanitary system is outdated. Additionally, the SCDHS currently requires a 3' separation to groundwater that does not appear to be met with the current system. No improvements to the sanitary system are being proposed. As there is no increase in seating proposed, the Board should discuss with Counsel whether an upgrade of the sanitary system can be required.

Seating

The applicant has submitted a copy of the current food services permit that allows for 142 restaurant seats, 48 exterior seats, and 14 bars seats, or a total of 190 dining seats and 14 bar seats.

It is noted that based on the inability to provide additional on-site parking and the limitation on outdoor dining in the Town Code, the applicant is permitted a lesser number of seats under Town regulations. Under zoning, 125 interior dining and bar seats and 40 exterior dining seats represent the maximum seating permitted. A floor plan has been submitted that depicts the 125 indoor seats and 40 outdoor seats.

The site has a C.O. for a 740 sq. ft. wood deck on the southerly side of the restaurant that contained an outdoor bar and a dining area. The Building Inspector determined that this deck was permitted 40 seats. These 40 seats are now proposed to be divided between two outdoor seating areas.

The wood deck has been removed and replaced by an at grade patio that has been increased in size from 740 to 900 sq. ft. (20' x 45'). The seating plan submitted indicates that 240 sq. ft. of the 900 sq. ft. patio will be utilized for 16 seats. This is based on one person per 15 sq. ft., the rated capacity under the New York State Uniform Fire and Building Code. This leaves 640 sq. ft. of patio space. A large circular bar is also proposed in this area that is labeled service bar. The applicant has indicated that this bar is for wait staff only and will not increase the capacity of the restaurant.

A copy of a description of the bar found in a local magazine is attached. This description conflicts with the project description. The applicant should address this.

A second outdoor dining area 1,032 sq. ft. (65' 6" x 15' 9") in size is proposed. The seating plan indicates that only 360 sq. ft. of this area will be utilized for seating and that it will contain 24 seats. Planters and landscaping will occupy some of the remaining space. The two seating areas are connected by a 400 sq. ft. arbor covered patio that will be function as a hostess and waiting area.

The Town Code limits outdoor dining areas to 30% of the indoor dining area. The project needs to comply with this restriction. Additionally, there is no room on the parcel to provide additional on-site parking and no sanitary system upgrade to the outdated system is proposed to accommodate any additional sewage. Therefore, the project should be designed to respect the 30% limitation. The seating areas identified on the floor plan respect this limitation. However, these seating areas leave significant areas of empty space on the patios under review. To further ensure that this limitation is respected, it is recommended that notations be placed on the plans that all outdoor dining is to be confined to the areas depicted on the floor plan and that this be made a condition of the approval. It is further recommended that it be noted on the plans that the service bar is only to be utilized by wait staff and not for customer use. Consideration should also be given to reducing and/or confining the space available for customer use.

Landscaping

The Japanese silver grass (*Miscanthus sinensis*), an invasive grass, has been eliminated from the plan and replaced by Switch grass (*Panicum virgatum*), a native grass species.

Lighting

A lighting plan that was prepared for the Architectural Review Board was submitted. The ARB is responsible for reviewing and has approved the sign lighting included in the plan. The Planning Board is responsible for the remaining lighting.

The plan needs to be revised to provide the standard elements of a lighting plan prepared for the Planning Board. A lighting plan that includes a key with the number and model number of each fixture, bulb type, wattage, Kelvin and lumen levels, and method of control should be submitted with a footcandle distribution chart. Additionally, uplighting does not meet the Board's lighting policy and is not compliant with the Town Code. All light fixtures should be fully shielded and directed downward.

The dumpster enclosure has been revised from chain link to a cedar wood fence. The change has also been made in the field and since it is located along Flamingo Avenue, is more aesthetically appropriate.

Revisions

The title "map of property" needs to be revised to "240 Fort Pond LLC Site Plan".

Planning Board Consensus:

The Planning Board should discuss with Counsel whether an upgrade of the sanitary system can or should be required.

Additional comments: _____

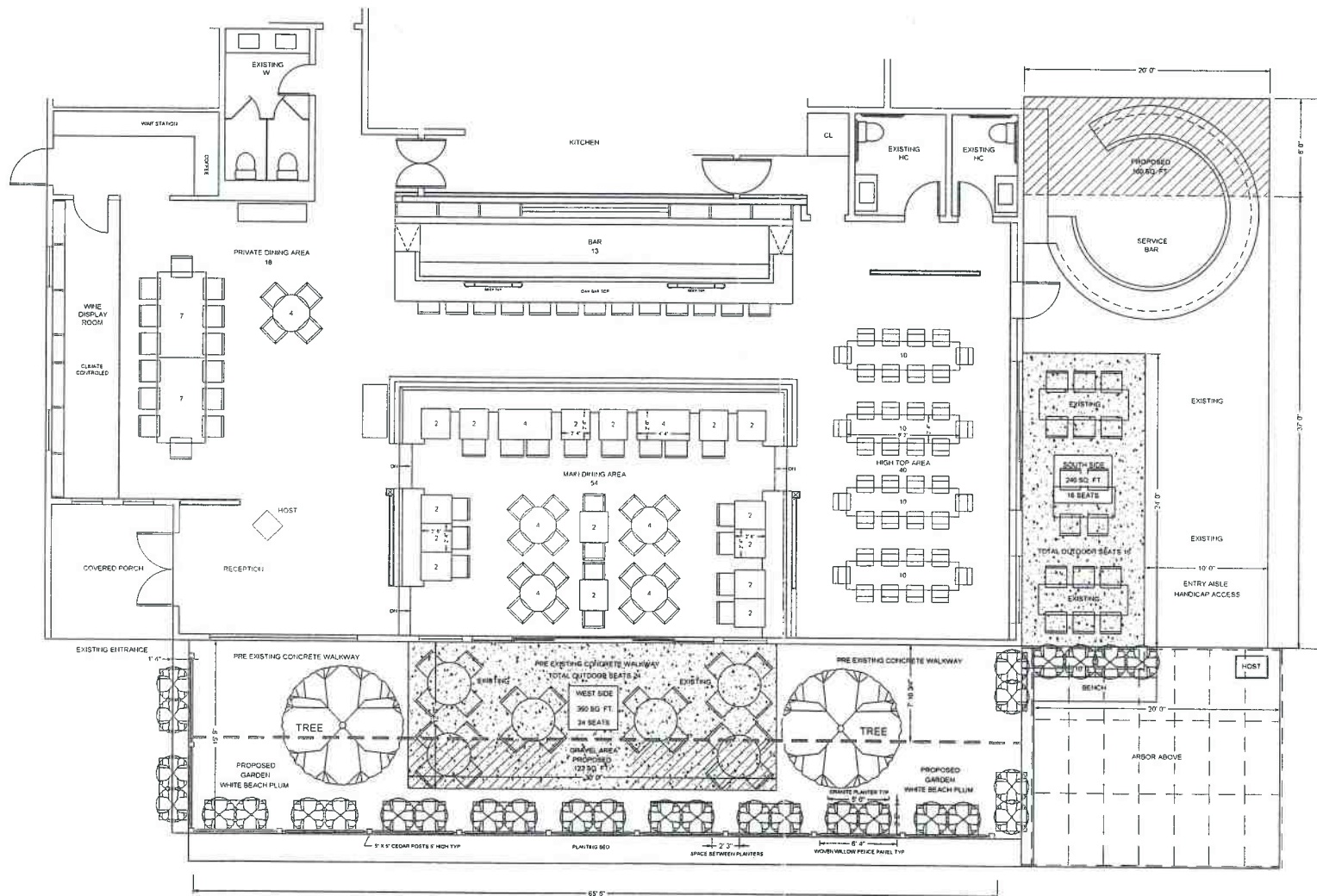
The Board should discuss whether any further measures should be taken to confine the areas available for seating, such as notations, or reduction in the size of the patios should be required.

Additional comments: _____

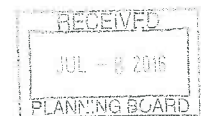
The Planning Board should advise the applicant as to whether a revised lighting plan as outlined above should be submitted.

Additional comments: _____

Additional Board Comments:



EXTERIOR OCCUPANCY
 WEST SIDE 360 SQ. FT. / 15 = 24 SEATS
 SOUTH SIDE 240 SQ. FT. / 15 = 16 SEATS
 TOTAL EXTERIOR OCCUPANCY = 40 SEATS



WILLIAM A. SCHULZ ARCHITECT, P.C.
 P.O. BOX 2898
 SOUTHAMPTON, NEW YORK 11969
 (631) 287-4216

THE ARBOR
 240 FORT POND ROAD
 MONTAUK, NY

PROPOSED RESTAURANT FLOOR PLAN

SCALE: 1/8" = 1'

DATE
 6/14/16

SHEET
 A-101



RECEIVED
JUN - 2 2016
PLANNING BOARD

714 E-40 1112 C. S.

With summer at hand I know many a reader is just bursting at the seasonal seams to paint the town red. Well, you came to the right town! We've many a watering hole perfect for kicking up your heels. If you are so inclined here is a list of the best rooms in town.

668 GIG SHACK

They don't call it a gig shack for nothing, my man. Whether it's an impromptu performance by a friend or a full blown appearance by one of the area's best troubadours there's almost always live music at this popular Main Street spot. Jazz, blues, folk, rock or hop the Shack has a sound fit just for you. Drop by for lunch or dinner and stay for a pop at the bar or a sidewalk table you'll find yourself in comfortable surroundings with familiar faces.

782 Main Street - 668-2727

ARBOR

Now open, one of the most anticipated new spots in town. Located on Edgemere Road just a mile north of Main Street, this Mediterranean bistro has made a special effort to make spirits one of their signature elements. That starts with the imaginatively designed outdoor bar. A circular affair that creates a canopy of dazzling lights dropping down to driftwood and ceramic stand-up stations where two or more can mingle. While there enjoy a selection of 20, curated wines by the glass, an enviably deep cellar and a list of signature drinks sure to please the most sophisticated imbibers. Looking for even more? They offer a private dining room with sommelier.

240 Ft. Pond Road - 238-5430

GURNEY'S

If you're looking for international entertaining in a local venue this is the place. Nationally acclaimed LDV Hospitality is here to make this oceanfront resort the hottest spot on the East End. And when it comes to a cold one, they've brought in the very best. The new REGENT CLUB is acclaimed bartender Julio Cabrera's contribution to this effort. Modeled after Cabrera's Regent Cocktail Club in Miami, voted best hotel bar in the world by Tales of the Cocktail, sip a selection from the classic custom cocktail menu while you enjoy the eclectic selection of live music and a great weekend DJ. With warmer weather relax at the BEACH CLUB, 1000' feet of private oceanfront lined with beach chairs, lounges and day-beds. Enjoy access to their beachfront Bar and Grill for light fare and seasonal drinks. Saturdays in season they'll host a ticketed BBQ with fresh seafood and grilled classics.

290 Old Montauk Highway - (631) 668-2345

INLET SEAFOOD

If you're looking for a great view to go with a cool drink this is it. Perched at the head of the harbor with a panoramic view of the Sound the sunsets are simply gorgeous. Especially when enjoyed from the water view bar room. Just sit back and relax with a cold cocktail and enjoy the show, the fireplace and the company.

East Lake Drive - 668-4272

MONTAUK BEACH HOUSE

Now in its third year this resort is the epi-center

A CONVERSATION WITH MARC ROWAN

In a world filled with entrepreneurs of many stripes, Marc Rowan stands out like a beacon on a foggy day. Not just because he has enjoyed great success in the business world, which he most certainly has, but because he brings a vision to his projects that gives them a life and style that is unique.

Co-founder and a Director of Apollo Global Management, one of the country's largest private equity firms, Apollo oversees some 170 billion dollars in international investment and equity. With substantial holdings in firms familiar as well as exotic he has demonstrated an ability to see promise where many see peril. More often than not they have realized returns that make Marc and Apollo household names in financial circles.

Any what, you may ask, does this have to do with Montauk? Only this. Over the past three years Marc has bought two landmark restaurants, a cottage colony, motel and 2 houses here. Taken as a whole his stake in Montauk is second only to the Gurney's group. And like that iconic property's revitalized path into the 21st century, Marc's plans for his properties mark the future of this area. A future that for one, seems as a welcome departure from the more turbulent, troubled avenue we have trod the past few years.

ON LOCATION

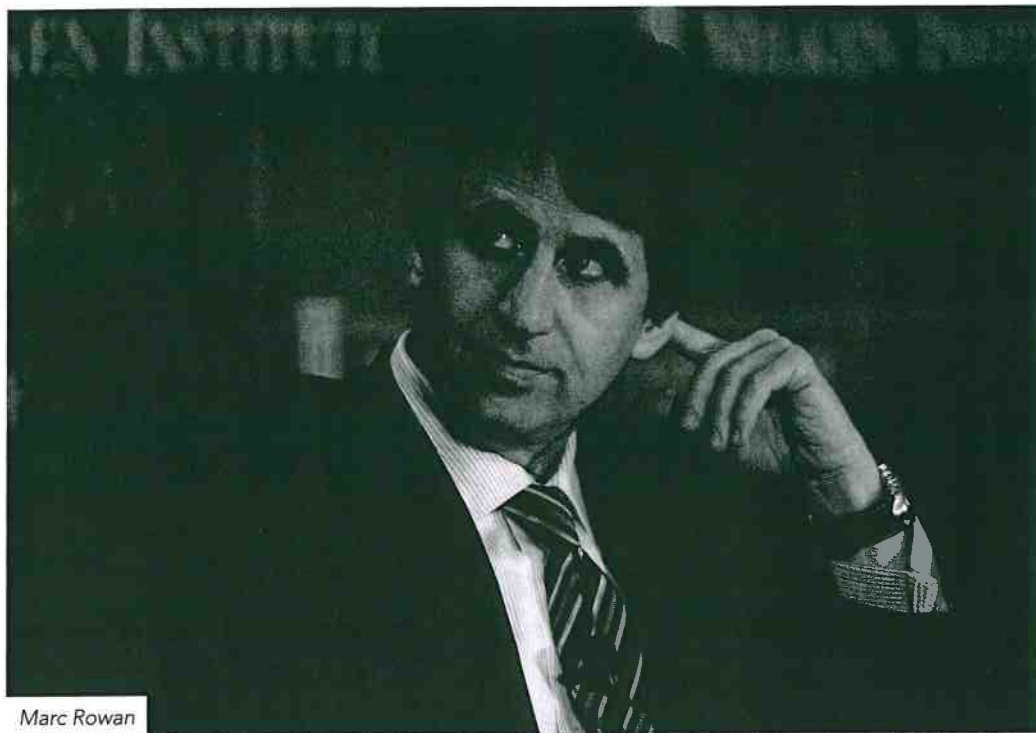
I met Marc on a breezy, May morning at Duryea's dock. Marc's first major acquisition here, Duryea's is a key piece in the long history of Montauk. Started in the 1880's as a wholesale fish and lobster house it had added a simple take-out lobster dinner operation in the 1990's. A popular, casual bayfront spot to enjoy a hot meal with a majestic water view it was a property with serious potential given the right ownership. One that could effect a major renovation and serious staffing upgrade on top of a \$6 million plus price tag.

A serious man, this was no impulse buy. Marc has been watching the Montauk scene for some 20 years. Much of it from the seat of a mountain bike. Hiking is a passion and hitting the trails here all those years has given him an appreciation for this area's natural beauty and allure. A beauty that has captivated a young, well-to-do, urban demographic. One that's provided the backbone of Montauk's surge in popularity these past seven years. A demographic reflected in Marc's own firm, where young associates make the weekend trek here to surf, mix, mingle and unwind.

Marc is betting heavily on that demographics' maturing to power the next phase here. "My younger associates are beginning to marry and have kids. As they do their social life will change. They'll slow down a bit and begin appreciating a finer more complex style of entertaining." In other words, they'll naturally gravitate to more polished restaurants like revamped Duryea's.

Transforming an 140 year old property like Duryea's was not a simple task. It began with the then dilapidated dock that juts some 245 feet into deep water Fort Pond Bay. When work began, for two years rumors flew about its potential new use. Word on the street was a member of the Newhouse publishing family was the new owner and planned to bring their 100' yacht to town.

When I heard Marc was the owner I joked, and



Marc Rowan

some actually believed, we'd be seeing Norwegian Cruise Line mini-ships on a regular basis. You see, Apollo holds a share in that cruise line and so anything's possible, right? Actually the only boat coming to town so far is Marc's 44' cruiser. Not exactly a mega-yacht, "it's the largest boat I can captain myself."

Back on terra firma where card tables and folding chairs littered the deck, beautifully built-in banquets and teak chairs sprawl. A kitchen that once strained to meet a small crowd is now poised to feed the crowd with ease. The old lobster room is now a wide-open market with a gleaming oyster and sushi bar, full service fish market and wall of walk-ins stuffed with take-out meals. All this cast in a casual nautical style that looks as if it might have been there a hundred years. A seamless blend of old and new that reflects Marc's vision for Montauk.

A TALENTED TEAM

Translating vision to concrete reality Marc has brought in two seasoned professionals to handle the operations and cuisine. Managing Director Steven Jauffrineau is as polished and accomplished a front man as you'll find. His goal here is - "to make our guests feel comfortable, like old friends, and to introduce them to exciting new wine and food experiences". Steven certainly perfected those arts at his last post, General Manager of Shelter Island's extremely successful Sunset Beach. One of the hottest stops on the East End food and fun circuit, its beachfront location and historic feel square nicely with Duryea's. "The minute I saw Duryea's I understood its very special appeal."

Overseeing the menu is Pierre Sudre. This French native was trained at the prestigious Ecole du Sacre-Coeur in Lozere France where he earned a solid foundation in culinary arts, catering and resort management. Over his now 20 year career he's put that knowledge to good use in some of the finest

kitchens and properties around the world. For the past two years he's overseen the food and beverage operations at the four star, National Hotel, in South Beach Miami. Prior to that he spent four years as Executive Chef at the exotic, Sofitel la Ora Beach Resort on the sandy shores of Moorea, one of the most beautiful islands in French Polynesia.

A creative force in the kitchen, a well versed manager and a warm, engaging personality Pierre is the perfect choice to bring Duryea's to its full potential and successfully launch Marc's second venture here. Did I forget to mention Marc's second restaurant opening of 2016 was just a few weeks away? Located just around the corner a crew of craftsmen were hard at work beginning the home stretch of would soon be Arbor.

A DIFFERENT DINING DESTINATION

Located just around the corner from Duryea's, Arbor is an old room with a proud history. For twenty plus years it was considered not just the best restaurant in Montauk but one of the finest in the Hamptons. The Blue Marlin was a bastion of old-school dining. Fine aged steaks, dark red wines, women in evening gowns, men in suits, martini's shaken or stirred and served by high noon. A "Mad Men", Rat Pack time that passed and with it the popularity of a grand room.

Since then a number of concepts have been tried here but none succeeded. And so this past fall Marc bought the building with an aim to launch a different dining concept than Duryea's. A Mediterranean bistro built for the discerning dining audience Marc thinks is the future of Montauk. Easily one of the most sophisticated, tastefully designed rooms in Montauk.

To create it he's brought in some of the finest minds to design and local craftsmen to create a unique space that mixes high-end Manhattan aes-

thetics with lush landscaping. The result is a dazzling interior surrounded by a protective garden. A soothing environment that gives space and time to enjoy a leisurely meal, a great wine and convivial company. Key to that is the availability of 30 carefully curated, wines and beers by the glass. Enjoy one at the bar, outside in the new wine and beer garden or at their private, dining room. The food itself is created from locally sourced products, seasonally available ingredients and all the bounty the surrounding seas can provide. All stamped with Pierre's impeccable taste in interesting recipes and immaculate presentation.

Both Arbor and Duryea are positioned to capitalize on a more mature Montauk. A future very different from the raucous, party scene many of us have endured here lately. For Marc betting on a better Montauk takes more than wishful thinking. It takes a dose of well-thought out hindsight.

THE PATH AHEAD

"When I was young my family spent winters in Ft. Lauderdale. That was during the height of the 'spring-break' phenomenon. In many ways it was very much like the past few summers here. An out-of-control scene that needed to be reigned in. And ultimately was, much to the betterment of the area."

Like Ft. Lauderdale 25 years ago, Marc feels Montauk is at a similar cross road. A moment when a combination of factors will lead it into a more so-



Steven Jauffrineau

Pierre Sudre

phisticated, subdued style. The most obvious is the general consensus that we've pushed the party envelope about as far as it can do before tearing the community's fabric to shreds.

Herds of drunks in the streets, music blaring till dawn, overcrowded houses, overflowing septic systems, confrontations between locals and visitors, all this and more has become synonymous with Mon-

tauk. The overt actions of a largely peaceful enjoyment of the Town of East Hampton done turning a blind eye. A mantra of 2016 with plans of law enforcement here for tortors of local bars and restaur

In what can only be called could set the tone for a quiet high profile night clubs have is closed. The Sloppy Tuna management that promises Last year's Harbor, a haven issues, has been replaced with a restaurant that eschews loud the corner Ruschmeyer's, and boys for bad behavior, has agement that knows how to l of wholesale mayhem we sa

Of course Montauk would out a few places you can go with little fear of raprocher Saloon, Memory Motel, the tauket offer license to loos some steam. Nothing wrong always had a frontier town let live attitude that allows town. Just so long as it's no 50 paces or a full blown riot

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sea water + sky. Hawaiian

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